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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/825,737	04/16/2004	G. Glenn Henry	CNTR.2210	8491
23669	7590	05/16/2006	EXAMINER	
HUFFMAN LAW GROUP, P.C. 1832 N. CASCADE AVE. COLORADO SPRINGS, CO 80907-7449			JIANG, CHEN WEN	
			ART UNIT	PAPER NUMBER
			3744	

DATE MAILED: 05/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	Application No. 10/825,737	Applicant(s) HENRY ET AL.	
	Examiner Chen-Wen Jiang	Art Unit 3744	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 April 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>0416,0903,0218</u> | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-5,7-13 and 15-18 are rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Mitchell et al. (U.S. Patent Number 7,006,943).

In regard to claims 1,4,5,7,10,12,13,15 and 18, Mitchell et al. disclose a method and apparatus for using an on-board temperature sensor on an integrated circuit or a microprocessor. Referring to Figs.1 and 4, the device comprises a microprocessor 101,401, temperature sensor 103 provided on-die thermal monitoring to measure the temperature of the die, temperature limit registers 105, compare login 107 and cooling device 109 or fan 405.

In regard to claims 2,3,8,9,16 and 17, Mitchell et al. disclose the fan turn on and off the fan (col.1, line 19) and control the speed of the fan (col.5, line 9).

In regard to claim 11, it would have been obvious to one of ordinary skill in the exercise art to substitute the prior art recognized equivalent one for other. In re Fout, 675 F.2d 297, 301, 213 USPQ 532, 536 (CCPA 1982).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6,14,19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mitchell et al. (U.S. Patent Number 7,006,943) in view of Hussain et al. (U.S. Patent Number 6,172,611).

Mitchell et al. disclose the invention substantially as claimed. However, Mitchell et al. do not disclose temperature information from external interface. Hussain et al. disclose a temperature sensor that is remote from or external to thermal management IC 140 in the same field of endeavor for the purpose of temperature control. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the apparatus of Mitchell et al. with an external sensor in view of Hussain et al. so as to control the temperature.

5. Claims 1-5,7-13, and 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moyal (JP 07209091) in view of Seesemann (U.S. Patent Number 6,384,733).

In regard to claims 1-5,7-10,12,13, and 15-18, Moyal discloses a sensing signal generating device for temperature of microprocessor. Referring to Figs.1 and 2, the device comprises a microprocessor 10, temperature sensor 15 and control circuit 28. The temperature sensor 15 is embedded in the integrated circuit. The control circuit controls the fan speed. The temperature sensing elements comprise diodes 42 and 44. Moyal discloses the invention

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substantially as claimed. However, Moyal does not disclose fan arrangement. Seesemann discloses fan arrangement in the same field of endeavor for the purpose of cooling the microprocessor. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the apparatus of Moyal with a fan arrangement in view of Seesemann so as to cool the microprocessor.

In regard to claim 11, it would have been obvious to one of ordinary skill in the exercise art to substitute the prior art recognized equivalent one for other. In re Fout, 675 F.2d 297, 301, 213 USPQ 532, 536 (CCPA 1982).

6. Claims 6,14,19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moyal/Seesemann as applied to claims 1,7 and 15 above, and further in view of Hussain et al. (U.S. Patent Number 6,172,611).

Moyal/Seesemann disclose the invention substantially as claimed. However, Moyal/Seesemann do not disclose temperature information from external interface. Hussain et al. disclose a temperature sensor that is remote from or external to thermal management IC 140 in the same field of endeavor for the purpose of temperature control. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the apparatus of Moyal/Seesemann with an external sensor in view of Hussain et al. so as to control the temperature.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chen-Wen Jiang whose telephone number is (571) 272-4809. The examiner can normally be reached on Monday-Thursday from 8:00 to 6:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cheryl Tyler can be reached on (571) 272-4834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chen-Wen Jiang  
Primary Examiner

A handwritten signature in black ink, appearing to be 'C. W. Jiang', written in a cursive style.